



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

staff of the institution. Judge Gorter says he has found Dr. Oliver's services in the Criminal Courts invaluable."

COURTS—LAW

Report of the Vagrancy Court in Chicago.—(Criminal Branch No. 1, Municipal Court of Chicago).—*Report of Activities from January 29, 1918, to June 24, 1918.*—(Reprinted from the Journal of the Proceedings of the City Council, City of Chicago, for June 28, 1918, pages 543-7.)—"The power of the legislature to define vagrancy is beyond a doubt. Section 270, Chapter 38, Revised Illinois Statutes, has extended the common law vagrant to include juggling or other unlawful games or plays, runaways, pilferers, confidence men, common drunkards, night walkers, lascivious persons, common railers and brawlers, persons who habitually mis-spend their time by frequenting houses of ill-fame, gaming houses or tippling shops, and "all persons who are known to be thieves, burglars, or pickpockets, either by their own confession or otherwise or by having been convicted of larceny, burglary, or other crime against the laws of the State, punishable, etc., and having no lawful means of support, are habitually found prowling around any" (enumerating many public places) "shall be deemed to be and they are declared to be vagabonds." The penalty clause provides a sentence in the House of Correction or County Jail of not less than ten days and not exceeding six months, or the imposition of a fine of not less than \$20 nor more than \$100 and costs of suit.

"The first cases in the so-called Vagrancy Branch of the Court were heard January 29, 1918, and practically all the cases tried since that date, with the exception of the cases of women, have been charged under that portion of the Statute commencing 'All persons who are known to be thieves,' etc., probably 95 per cent of the cases of men have been charged with the offense of vagrancy in an information charging that the defendant 'was an idle and dissolute person and was habitually neglectful of his employment and calling and did not lawfully provide for himself and neglected all lawful business and did habitually mis-spend his time without giving a good account of himself and is known to be a thief having no lawful means of support and is habitually found prowling in and loitering around thoroughfares and tippling shops, in violation of Section 270, Chapter 38, of the Revised Statutes of the State of Illinois.' . . .

"In this large array of cases it is apparent that there has been in Chicago a criminal class, properly designated as 'thieves,' a class without a permanent fixed residence, who may be found generally in company with other well-known thieves at any hour of the day or night at any one of a thousand places, prowling or loitering, without any visible means of support or honest employment.

"The general term 'thief' embraces a variety of activities: burglary, hold-up, robbery, larceny, safe blower, confidence men, shoplifter, pickpocket, wagon thieves, jackrollers, purse-snatchers, and petty pilferers. These all have had their day in court, charged as vagabonds.

"There have been rare instances where the proof of thieving was limited to a single offense or conviction. Ordinarily, the record shows anywhere from three or four offenses to fifteen or twenty, and the record further shows the individual's activities are not limited to any one city. To me it is a compliment

to the intelligence of the detective sergeant or police officer of Chicago, or any city, that they are able intuitively to gather from the crowd the pickpocket or thief, verifying later by the Bertillon system that they made no mistake. . . .

"An interesting group in February disclosed that A had served a term in the House of Correction for larceny and a term in Joliet for burglary. B had served two terms in the House of Correction for larceny. C had served a sentence in Minnesota for vagrancy, and two terms in the House of Correction for larceny. D had served a term in Wisconsin for vagrancy, also a sentence for disorderly conduct, also a sentence in Stillwater Penitentiary for picking pockets, and a term in House of Correction for disorderly conduct, and E, House of Correction for con game, and five years in Federal prison, Fort Leavenworth, Kansas, for postoffice robbing. Not one of these men had any employment or means of support.

"On the vagrancy charges A was sentenced to 6 months in House of Correction; B, 6 months; C, 4 months; D, 6 months, and E, 30 days. A sixth individual, with no criminal record, was sentenced to 6 months, and an individual escaped at time of arrest. . . .

"Aside from the criminal class there was presented to the Court an example of the family with a criminal tendency. Two brothers of the M. family were both before the Court as vagrants, and each was sentenced to six months. The record of J. M. showed:

- Pontiac, robbery;
- Eight months County Jail, burglary;
- One year House of Correction, fornication;
- Six months, House of Correction, burglary;
- Six months House of Correction, driving horse away;
- Six months House of Correction, burglary;
- Twenty days House of Correction, larceny;
- One year Green Bay (Wis.) Reformatory, burglary.

His brother, F. M.—

- Pontiac, larceny;
- Pontiac, burglary;
- Fifty dollars and costs, disorderly conduct;
- Returned to Pontiac;
- Reparoled;
- Returned to Pontiac;
- Reparoled on account of death of mother;
- Returned, violation of parole;
- Eight months House of Correction, burglary;
- Joliet, burglary.

"Another brother has an equally stormy career, and served a sentence in Joliet for burglary. Another brother was never convicted of any offense. The father killed this brother over a quarrel when the boy brought to the home a woman of ill-repute. The father was acquitted on the ground of self-defense in the Criminal Court of Cook County.

"The several instances of criminal records just cited indicate a fair average of several hundred of such cases before the Court since January 29, 1918.

"Only one woman was charged as a well-known thief. N. K. had many aliases, as is usually the case. She was a pickpocket and the wife of a well-known pickpocket. They were brought in about six weeks apart. Both are

now in the House of Correction. N. K. has served two years in Joliet, six months Erie County Penitentiary, N. Y.; six months Female Reformatory, Toronto; four years Jefferson City (Mo.) Penitentiary; three years Stillwater (Minn.) Penitentiary; also ninety days House of Correction, Milwaukee, vagrancy; one year House of Correction, Chicago, larceny, besides innumerable arrests in other cities throughout the country. She frankly informed the Court that at one time she had a trained corps of 'operators' (pickpockets) under her charge.

Results

"After the arrest, offenders were very unwilling to promise to get work. They were tried, however, on the record at time of arrest, and not on promises. The Vagrancy Court anticipated the Government order to work or fight. Men were not released on promises to work; that would be too simple a defense. The Court refused to bring back offenders from the House of Correction on the promise of employment. Some few were brought back when actually called in the selective draft. Twenty-five or thirty went into the military service, and we had positive information that the individual was actually in the service before the order of discharge was entered. Two enlisted in the navy.

"In all the cases tried we found only one case on parole from an Illinois penal institution. A boy paroled from Pontiac, charged with vagrancy, was sent back to Pontiac for violating parole by Parole Officer Reed after the Court had indicated that he would send the boy to the House of Correction. Parole officers inform me that after the establishment of this branch every paroled man and boy 'was on his good behavior, refused to associate with thieves, stayed away from pool rooms and saloons, and would not come into the loop for a thousand dollars.'

"There has been no instance of any one charged with vagrancy who was on probation by judges of this court. At least three cases came to the attention of the Court on probation from the Criminal Court. It was not the fact that they were on probation that attracted attention, but the fact that they had long criminal records and their records clearly placed them beyond the pale of the adult probation law.

"On February 13, 1917, J. O. was placed on probation for one year in the Criminal Court. Previously he had served fifteen days, County Jail, larceny; seven days, County Jail, receiving stolen property; six months, County Jail, enticing females, and six months, House of Correction, larceny.

"J. D. was placed on probation March 8, 1917, for one year in the Criminal Court. He had been charged in the Criminal Court previously with burglary and assault to rob, and in Indiana had served a sentence of six months in the State Farm on the charge of robbery and assault to kill.

"W. P. was placed on probation October 5, 1917, for one year in the Criminal Court of Cook County. A charge of burglary had been dismissed and he had served ninety days for malicious mischief in the House of Correction; fined \$25 and costs for disorderly conduct; one year in Pontiac and fined \$100 and costs; discharged on two other occasions on charges of larceny; had been in John Worth School. These three cases were arrested within the probation period. Not one made a pretense of having work.

"The Court has been very careful on the matter of bonds for this class of offenders. There has been a total of twelve bond forfeitures, two of which

were women. Stay bonds have been filed in these cases and supersedeas issued. That means three appeals perfected to the Appellate Court, out of the entire number of cases disposed of.

"There were four changes of venue granted. There have not been to exceed twenty cases where the offender was under twenty-one years of age. Seventeen cases were transferred to the Boys' Court. In the Boys' Court there was one bond forfeiture. Eleven were discharged; three were sentenced to three months in the House of Correction, and one, two months.

"When the vagrancy branch was opened, Chicago was overrun with crime. The Aldermanic Crime Committee had become active; business interests and citizens generally demanded some action on the part of the constituted authorities.

"From the Chicago police records, or, as it is generally termed, from the 'squeal books' of the police department of the entire city, figures have been gleaned that are most convincing as to results. These records show the crimes committed and brought to the attention of the police department. Under the general heading of burglary, robbery, and larceny, the following results are learned:

	Burglary.	Robbery.	Larceny.	Total
October, 1917	349	146	654	1,149
November, 1917	422	245	621	1,288
December, 1917	357	249	537	1,143
January, 1918	258	280	436	974
February, 1918	273	143	334	750
March, 1918	327	101	424	852
April, 1918	293	90	393	776
May, 1918	266	61	474	801

"So that it may appear that approaching summer has not caused the diminution of crime, there is here presented the police record for the same offenses for the months of January to May, inclusive, 1917:

	Burglary.	Robbery.	Larceny.	Total
January, 1917	624	248	674	1,540
February, 1917	551	227	555	1,333
March, 1917	671	246	749	1,666
April, 1917	638	197	690	1,525
May, 1917	543	146	819	1,508

"It will be remembered that the first cases tried in the vagrancy court were heard on January 29th, and after that there has been a steady reduction of crime, whereas a year previous about the same number of offenses occurred in May that were recorded in January.

"The police records show that safe-blowing and pocket-picking have almost been eliminated. The enforcement of the vagrancy law has been the most effective drive ever made in Chicago against pickpockets. The fraternity is either in the House of Correction, or has left the city. More than twenty-five well-known pickpockets are now serving sentences of six months in the House of Correction.

"The records in the clerk's office of the Municipal Court show that in the year 1917 there were 94 cases of vagrancy before the Court, disposed of as

follows: Discharged, 75; dismissed, want of prosecution, 9; committed to the House of Correction, 5; fined, 4; nolle prosequere, 1. Since January 29, 1918, there have been before this branch and disposed of 368 cases, divided as follows: 302 men and 66 women.

"The records show the following disposition as to the male vagrants: 190 found guilty and 112 discharged. The penalties in the 190 cases were as follows:

6 months, House of Correction....34	3 months, House of Correction....34
5 months, House of Correction.... 2	2 months, House of Correction....27
4 months, House of Correction....24	1 month, House of Correction....59

Fined 10, aggregating total fines, exclusive of costs, \$480.00.

"The record of women offenders shows 37 found guilty and 29 discharged. The penalties in the cases were as follows:

6 months, House of Correction.... 3	2 months, House of Correction....10
4 months, House of Correction.... 2	1 month, House of Correction.... 8
3 months, House of Correction....13	

Fined 1, \$50 and costs.

"Activity on the part of the Police Department on April 4th, 1918, brought into the Court a number of women offenders. The greatest number of women brought in were charged as 'idle and dissolute, common night walkers and lascivious in speech and behavior'; in addition to this, the medical test of these women showed that the majority of them were diseased. All the women convicted were old offenders, and had been in the Morals Court many times. . . .

"I am satisfied that the charge of vagrancy against this class of offenders is the most effective charge that can be drawn. Indeed, good lawyers defending women so charged have told me that it is the most effective action, so far as results are concerned, that they have known.

"I believe if the commanding officers in the several sections of the city kept a card-index system of the women in their territory plying their trade upon the streets, as the Detective Bureau keeps a card system as to the activities of well-known thieves, that in three to six months any commanding officer could clean his territory of this class of offenders. Eventually, the finger-print method of identification for this class should be legalized.

"The work of the Court has been most satisfactory. It has perhaps taken half of the court hours in the trial of cases, the other half day being devoted to the trial of civil cases, other state and city cases being transferred to this branch, and larceny (picking pockets) and gun (2,807) cases. These latter two classes of cases grew out of the vagrancy work.

"Mr. Joseph P. Ryan, Assistant State's Attorney, assigned to this branch, is entitled to credit for the fair and impartial manner in which he has performed his duties. At the same time he has not permitted the public's interests to be secondary to the demands of that class of individual who have appealed to him in the interest of the professional prostitute and thief. That appeal has gone unheeded in this branch.

"There has been no delay in the trial of these cases. Practically all have been disposed of within three or four days after the arrest. This is a new procedure for this class of offenders in Chicago.

"Not only in the trial and disposition of cases has the city been made safer, but the work of the Court and its publicity to the criminal class have caused that class to leave Chicago, and the undesirable element outside of Chicago to stay away from Chicago. Pickpockets, confidence men and thieves in general discuss their lines of endeavor as commercial travelers discuss theirs, and, like the commercial traveler, they consider the towns and cities to patronize, and the good towns and cities to stay away from. In determining the towns to stay away from, the determining factor is the attitude the authorities show in the enforcement of laws and ordinances."

COURTS—LAWS.

To Regulate Sale and Distribution of Drugs in New York.—(Senate, State of New York, 3d Rdg. 562. Nos. 951, 1261, 1440, Int. 802. March 7, 1918.

Introduced by Legislative Narcotic Committee—read twice and ordered printed and when printed to be committed to the Committee on Public Health—committee discharged, said bill amended, ordered reprinted as amended and when reprinted to be committed to the Committee on Finance—reported favorably from said committee with amendments, by unanimous consent, the rules were suspended and said bill ordered to a third reading and to be reprinted as amended.

An Act—To amend the public health law, so as to provide for the regulation and control of the sale, prescribing, dispensing, dealing in and distribution of cocaine and opium and its derivatives, and making an appropriation therefor.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Article eighteen of chapter forty-nine of the laws of nineteen hundred and nine, entitled "An act relating to the public health, constituting chapter forty-five of the consolidated laws," as renumbered article twenty-two by chapter four hundred and eight of the laws of nineteen hundred and sixteen, is hereby renumbered article twenty-four, and sections three hundred and fifty and three hundred and fifty-one of such chapter as renumbered sections four hundred and fifty and four hundred and fifty-one, respectively, by chapter six hundred and nineteen of the laws of nineteen hundred and thirteen, are hereby renumbered five hundred and five hundred and one, respectively.

Section 2. Such chapter is hereby amended by inserting therein a new article, to be article twenty-two thereof, to read as follows:

ARTICLE XXII.

NARCOTIC DRUG CONTROL.

Section 420. Definitions.

- 421. Department of narcotic drug control, commissioner; powers and duties.
- 422. Deputies; secretary, employes.
- 423. Acts prohibited; registry.
- 424. Manufacturer to have certificate.
- 425. Wholesaler to have certificate.
- 426. Orders upon official blanks.
- 427. Acts permitted.
- 428. Possession of drugs further restricted.
- 429. Labels.